

**NOVEMBER 16, 2006 BID OPENING & TOWN BOARD MEETING**

Present at meeting:      Ralph Bentley      Supervisor  
                                 Frank Hill      Councilman  
                                 Ken Higgins      Councilman  
                                 Robert Olson      Councilman  
                                 Shirley Hayes      Councilwoman-absent-vacation  
Paul Smith      Highway Superintendent  
Arlene Mayer      Town Clerk

Also: Sandy Smith, Harry Balz, Harvey Leidy, Doug Paton, Tom Johansen, Dave King.

Bids- Clerk showed proof of legal notice for Fuel, BTI and Trailer Bid.

The one fuel bid (Buckman's) was opened and read:

Fuel Oil	\$1.9145 per gallon
Kerosene	\$2.2185 per gallon

The BTI bid (Bioconservation) was read:

\$21,200.00 per year for a one year, two year, or three year contract.

Discussion regarding how much BTI treatment the Town is really getting.

Question of having Bioconservation mark trees by streams being treated the way Linda Hoyt and crew did it years ago. Councilman Olson said he feels the Town should contract for only one year with option to renew, all agreed.

Regular meeting then began.

Approval of Minutes-The minutes of October 19<sup>th</sup>, 26<sup>th</sup>, November 9<sup>th</sup> and 13<sup>th</sup> were approved by MOTION of Messrs. Hill and Higgins, all ayes

Reports- Supervisor, Town Clerk, Justice, Assessor, Zoning, Building Project.

Abstracts-

**RESOLUTION NO. 147 OF 2006**

Messrs. Hill & Olson introduced Res. 147 and moved its adoption:

**RESOLUTION TO APPROVE PAYMENT OF ABSTRACTS**

RESOLVED, that the Horicon Town Board does hereby approve the payment of the November Abstracts:

Hwy. Vouchers # 217-240	\$25,448.72
Gen. Vouchers # 312-339	\$19,124.38
Hwy. Abstracts # 30 & 31	\$12,659.84
Gen. Abstracts # 30 & 31	\$327,184.29

Hill-aye, Higgins-aye, Olson-aye, Hayes-absent, Bentley-aye

Communications-

Bernard McCann, S.S. Teacher	RE: OAS Class receiving some of returnable bottles from landfill.
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Action on Communications- Councilman Hill has already contacted Mr. McCann and the Town is already donating some of the returnable bottles and cans to the school.

Health Insurance-

Supervisor Bentley said he and Dawn met with Kurt Jaeger regarding the change in insurance coverage. The Town does not really have a choice in the change, but needs to comply with the CSEA "as good or better" contractual agreement. In order to have the whole Town on the same MVP-15 Plan the Town will need to absorb the co-pay for the highway employees. This is agreeable to the CSEA.

**RESOLUTION NO. 148 OF 2006**

Messrs. Hill & Olson introduced Res. 148 and moved its adoption:

**RESOLUTION AUTHORIZING ALL EMPLOYEES  
TO ENROLL IN THE MVP-15 PLAN**

RESOLVED, that as of January 1, 2007 all Town employees will be enrolled in the MVP-15 Medical Plan. The Town will cover the co-pay for highway employees in order to meet the terms of the CSEA Contract which state a highway employee is entitled to "as good or better insurance" each time a change is made.

Hill-aye, Higgins-aye, Olson-aye, Hayes-absent, Bentley-aye

Excavator-

The Board discussed the purchase of an excavator for the highway department. The following Resolution was then introduced:

**RESOLUTION NO. 149 OF 2006**

Messrs. Olson & Hill introduced Res. 149 and moved its adoption:

**RESOLUTION TO AUTHORIZE BID NOTICE**

RESOLVED, that the Town Board does hereby authorize the clerk to advertise for bids for a Diesel Powered Hydraulic Excavator for the highway department. Bids will be opened on December 19<sup>th</sup> at 1:00 PM at the Horicon Community Center.

Ayes: 4    Nays: 0    Absent: Mrs. Hayes

Comprehensive Land Use Plan-

A Memorandum of Agreement between the Town of Horicon and Richard Lamb was discussed and approved. Mr. Lamb will act as consultant in assisting the Town in preparing a Comprehensive Land Use Plan.

**RESOLUTION NO. 150 OF 2006**

Messrs. Olson & Higgins introduced Res. 150 and moved its adoption:

**RESOLUTION TO AUTHORIZE SUPERVISOR  
TO SIGN AGREEMENT**

RESOLVED, that the Town Board does hereby authorize Supervisor Ralph Bentley to sign the "Memorandum of Agreement" between the Town of Horicon and Richard Lamb regarding his assistance in preparing a Comprehensive Land Use Plan for the Town of Horicon. Cost of the assistance is \$13,000.00.

Hill-aye, Higgins-aye, Olson-aye, Hayes-absent, Bentley-aye

Greenwald v. Town of Horicon- Assessment Litigation Case.

Upon advice of counsel the following Resolution authorizing settlement of the Article 7 Real Property Assessment Case was introduced:

**RESOLUTION NO. 151 OF 2006**

Messrs. Hill & Higgins introduced Res. 151 and moved its adoption:

**RESOLUTION AUTHORIZING SETTLEMENT OF PENDING  
ARTICLE 7 REAL PROPERTY ASSESSMENT CASE  
ON GREENWALD PROPERTY**

WHEREAS, Patricia Greenwald commenced an Article 7 Real Property Assessment Review case against the Town of Horicon concerning the parcel identified as Tax Map No. 72.13-1-42 for the 2004/05 tax year, AND

WHEREAS, the Warren County Supreme Court later allowed Jennifer Greenwald, Dara Greenwald Mechanic and David Greenwald as substitute Petitioners, AND

WHEREAS, the parties have had discussions regarding the settlement of the case, and the Town Assessor has recommended a

settlement proposal to the Town Board, and the Town Board has reviewed the case with Town Counsel, AND

WHEREAS, no other municipal entities have intervened in the case or are required to approve any settlement of it, NOW, THEREFORE BE IT

RESOLVED, that the Horicon Town Board hereby approves the settlement of the pending Article 7 real property tax assessment case against the Town of Horicon by Jennifer Greenwald, Dara Greenwald Mechanic and David Greenwald concerning the parcel identified as Tax Map 72.13-1-42 for the 2004/05 tax year in accordance with the following revised assessed value:

<u>Tax Year:</u>	<u>Current Assessment</u>	<u>Revised Assessment</u>
2004/05	\$37,600	\$22,600

AND, BE IT FURTHER  
RESOLVED, that the Town Board authorizes and directs payment of any and all resulting refunds, with interest, to Petitioners within sixty (60) days from the date that a Demand for Refunds is served upon the Town of Horicon and the Warren County Treasurer, BE IT FURTHER

RESOLVED, that the Town Board further authorizes and directs the Town Supervisor, Town Assessor and/or Town Counsel to execute settlement documents and take any additional steps necessary to effectuate the proposed settlement in accordance with the terms of this Resolution.

Hill-aye, Higgins-aye, Olson-aye, Hayes-absent, Bentley-aye

Resolutions-

**RESOLUTION NO. 152 OF 2006**

Messrs. Higgins & Olson introduced Res. 152 and moved its adoption:

**RESOLUTION TO SET PUBLIC HEARING FOR 2007 CONTRACTS**

WHEREAS, moneys have been appropriated in the 2007 Budget in the following amounts:

North Warren Emergency Squad	\$ 39,000.00
Horicon Historical Society	\$ 500.00
Senior Mini-Bus	\$ 2,600.00
North Warren Chamber of Commerce	\$ 3,000.00
Horicon Free Library	\$ 1,000.00
Horicon Senior Citizens	\$ 500.00
Chester Horicon Health Center	\$ 5,000.00
Horicon Volunteer Fire Company	\$119,000.00

NOW, THEREFORE, BE IT

RESOLVED, that a Notice of Public Hearing will be published stating that a hearing on the above named contracts will be held on December 21<sup>st</sup> at 7:00 PM at the Horicon Community Center.

Ayes: 4 Nays: 0 Absent: Mrs. Hayes

**RESOLUTION NO. 153 OF 2006**

Messrs. Higgins & Hill introduced Res. 153 and moved its adoption:

**RESOLUTION TO AWARD FUEL BID**

RESOLVED that the Town Board, after advertising for bids and receiving only one bid, does hereby award said fuel bid to:

Buckman's Family Fuel of Chestertown, NY for the bid  
Price of \$1.9145 per gallon for Fuel Oil  
\$2.2185 per gallon for Kerosene

Hill-aye, Higgins-aye, Olson-aye, Hayes-absent, Bentley-aye

**RESOLUTION NO. 154 OF 2006**

Messrs. Olson & Hill introduced Res. 154 and moved its adoption:

**RESOLUTION TO AWARD BTI BID**

RESOLVED, that the Horicon Town Board, after advertising for bids and receiving only one bid, does hereby award said Bid for the BTI Program to:  
Bioconservation, Inc. for a total bid of \$21,200.00  
This bid is awarded contingent on Bioconservation supplying the Town of Horicon with copies of all reports and a projected schedule of treatment areas.

Hill-aye, Higgins-NO, Olson-aye, Hayes-absent, Bentley-aye

**RESOLUTION NO. 155 OF 2006**

Messrs. Higgins & Hill introduced Res. 155 and moved its adoption:

**RESOLUTION TO AUTHORIZE TRANSFERS**

RESOLVED, that the Town Board does hereby authorize the bookkeeper to make the following transfers:

Highway-

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
5110.1 (Gen. Rep.)	5142.1 (Snow Per.)	\$24,018.56
5148.1 (Serv. O Gov.)	5142.1 (Snow Per.)	\$41,010.00
5148.4 (Serv. O Gov.)	5110.4 (Gen. Rep.)	\$18,000.00
9060.8 (Med.)	5112.4 (CHIPS)	\$ 3,358.88
9060.8 (Med.)	5140.4 (Mis. Brush)	\$ 1,000.00

General-

1450.4 (Elec.)	1410.4 (Tw. Cl. Con.)	\$ 700.00
1990.4 (Cont.)	8810.4 (Cemetery)	\$ 3,268.52

Hill-aye, Higgins-aye, Olson-aye, Hayes-absent, Bentley-aye

Website-

Mr. Harvey Leidy reported that Dave King (present tonight) has been working with Brandon Himoff on the Website and it is looking very good. Various departments will be supplying information to put on the site. Mr. Leidy would like conceptual approval of the site from the Board.

**RESOLUTION NO. 156 OF 2006**

Messrs. Higgins & Olson introduced Res. 156 and moved its adoption:

**RESOLUTION OF APPROVAL OF WEB CONTENTS**

RESOLVED, that the Town Board does hereby approve the concept and content of the new Town of Horicon website.

Ayes: 4    Nays: 0    Absent: Mrs. Hayes

Mr. Leidy said the Website should be assessable after December 3<sup>rd</sup>.

Wood Furnace at Highway-

Highway Superintendent Smith asked the Board about a plan to pay various highway employees to come by the shed on the weekends and load up the wood stove. This would keep it burning all weekend and give it a head start for Monday. Mr. Smith felt it would save the Town money on the oil used by the furnace. By paying the employee overtime for one hour each day (1/2 hour in the morning and 1/2 hour in the afternoon) it would cost about \$50.00 per weekend which would be cheaper than the cost of the oil needed to run the furnace. If it were storming on the weekend the employees would already be working, so it would not cost anything extra. The wood heat also heats the water. Mr. Smith will keep a list of those employees willing to do it. If an employee does not show up or call when it is their turn, their name will be taken off the list. The Board felt this idea is very feasible and will save money in the long-run.

**RESOLUTION NO. 157 OF 2006**

Messrs. Hill & Higgins introduced Res. 157 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYING OVERTIME TO  
TOWN HIGHWAY EMPLOYEES FOR LOADING WOOD STOVE**

RESOLVED, that the Town Board does hereby authorize paying overtime wages to highway employees who come in for an hour on Saturday (1/2 hour in A.M and ½ hour in the P.M.) and an hour on Sunday (same schedule) to load up the wood stove at the highway shed. This overtime is only payable when the employees are not already working during a storm.

Hill-aye, Higgins-aye, Olson-aye, Hayes-absent, Bentley-aye

Privilege of Floor- No one had any questions.

This being all the business to attend to, the meeting was adjourned at 7:40 PM by MOTION of Messrs. Olson & Hill, all ayes.

Respectfully submitted: Arlene Mayer, Town Clerk